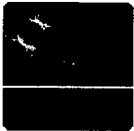


237853



 To: Wanda Calderon/R2/USEPA/US,
Cc: Michael vanItallie/R2/USEPA/US,
Bcc: Terry Paulikas/R2/USEPA/US,
Subject: Re: Abrachem FOIA RIN # 02-FOI-00890-11
From: Paul Kahn/R2/USEPA/US - Wednesday 05/25/2011 10:23 AM

Hi Wanda,

The copy service for Drinker Biddle Reath has picked up the Abrachem docs D B R requested. They will copy the docs and mail it back to me. This will satisfy the D B R requests for:

1) the outgoing 104(e) letter to WEA Enterprises (e-mailed copy to Requestor), and 2) the WEA response to the 104(e) letter (picked up today by copy service).

There is one other outstanding FOIA request for Abrachem which I'll address that in a separate e-mail.

Thanks

Paul

Paul L. Kahn
On-Scene Coordinator
Response and Prevention Branch

732-321-6617
732-321-4425 FAX

DRINKER BIDDLE -

RV

New ▾	Save	Delete	Actions ▾	Correspondence ▾	Alerts	Request Notes	Details ▾	Barcode	Appeals	Spell Check	Be
-------	------	--------	-----------	------------------	--------	---------------	-----------	---------	---------	-------------	----

02-FOI-00873-11 - Request

15 Days Remaining Sign Out

General Information	Request Information	Fee Information	Custom Fields
----------------------------	---------------------	-----------------	---------------

Action Office*	02
Request Type*	R2-FOIA
Requester*	Shuff, Deborah
Organization	Drinker Biddle & Reath LLP
Received Mode	
Delivery Mode	
Payment Mode	
Requested Date*	05/09/2011
Original Received Date	05/09/2011
Received Date*	05/09/2011
Original Target Date	06/07/2011
Target Date	06/07/2011
Estimated Delivery Date	06/07/2011
Original Perfect Date	05/13/2011
Last Perfected Date	05/13/2011

☐ Expedite Requested
Expedite reason

Status	Perfected
Primary User	Calderon, Wanda
Review Status	
Priority	Normal
Multi-Track Type	Simple
Shipping Address	
Address1	One Logan Square
Address2	Suite 2000
City	Philadelphia
Country	United States
State	Pennsylvania
Zip Code	19103-6996
[12345 or 12345-6789 format for US]	

Link Requests

Link Requests

Notes

Note: * fields are mandatory



"ldaemon.rtpnc.epa.gov"
<ldaemon@unixpub.epa.gov
>

05/09/2011 12:19 PM

To GROUP R2FOIA@EPA

cc

bcc

Subject (128121918) On-line FOIA Request

01_NAME :Deborah L. Shuff
02_COMPANY :Drinker Biddle & Reath LLP
03_ADDRESS :One Logan Square, Suite 2000
04_CITY :Philadelphia
05_STATE :PA
06_ZIP :19103-6996
07_EMAIL :deborah.shuff@dbr.com
08_PHONE :215-988-2505
09_FAX :215-988-2757
10_SPECIFIC_INFORMATION_NEEDED :Site Number: A212 (Abrachem)
CERCLIS ID Number: NJR000031831

*errd
Commercial Fee
2 Aug-0873-11*

Document(s) Requested: CERCLA 104(e) Request to WEA Enterprises, Inc. for property located at Peekay Drive, Clifton, NJ, Block 61.03, Lot 40.

To permit me to reach an intelligent and informed decision whether to file an administrative appeal of any denied material, please describe any withheld records (or portions thereof) and explain the basis for your exemption claims. This description should include a list of the withheld documents, pursuant to *Shermco Indus. v. Sec'y of the U.S. Air Force*, 452 F. Supp. 306, 317 n.7 (N.D. Tx. 1978) ("A person cannot effectively appeal a decision about the releasability of documents . . . if he is not informed of at least a list of the documents to which he was denied access . . . and why those decisions were made. Denial of this information would in all likelihood be a violation of due process as well as effectively gutting the reasons for applying the exhaustion doctrine in FOIA cases.").

cc: Michael van Itallie, Esq.

11_FEE :Up to \$25, Required
13_FeeWaiver_text:
15_ExpeditedWaiver_text

WARNING NOTICE

This electronic mail originated from a federal government computer system of the United States Environmental Protection Agency (EPA). Unauthorized access or use of this EPA system may subject violators to criminal, civil and/or administrative action. For official purposes, law enforcement and other authorized personnel may monitor, record, read, copy and disclose all information which an EPA system processes. Any person's access or use, authorized and unauthorized, of this EPA system to send electronic mail constitutes consent to these terms.

(This information is for tracking purposes only.

Submitting script: /cgi-bin/mail.cgi

Submitting host: (38.115.2.197)

Browser: Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; .NET CLR 1.1.4322; .NET CLR 2.0.50727; .NET CLR 3.0.04506.30; .NET CLR 3.0.04506.648; .NET CLR 3.0.4506.2152; .NET CLR 3.5.30729)

Referred: <http://www.epa.gov/foia/requestform.html>

TSSMS: epafoial

Mail to File: R2

Please be advised that in accordance with the EPA's revised FOIA regulations (40 CFR 2.100, et. seq.), effective November 5, 2002, the Agency's fees for processing requests have changed. Types of requester categories are:

- Commercial fee requesters are charged for search and review time plus pages copied
- Other fee category requesters are allowed 2 hours of FREE search time as well as the first 100 pages of duplication; no review time will be charged
- Educational fee category requesters will only be charged for duplication of pages minus the first 100 pages; no search and/or review time will be charged
- Media fee category requesters will be charged only for duplication minus the first 100 pages

Calculations to determine fees for above should be based on below schedule if the following EPA employees perform the work:

- Clerical staff time billed at \$4.00 per 15 minutes of search and/or review
- Professional staff time billed at 7.00 per 15 minutes of search and/or review
- Managers' time billed at \$10.25 per 15 minutes of search and/or review
- No fee will be charged for services at or below \$14.00
- Assurance of payment of fees above \$25.00 will be obtained from the requester before commencing any work
- Advance payment of fees above \$250 may be required by the Agency before commencing any work
- Fifteen cents per page copied
- ALL billing commences at \$14.01 unless a fee waiver is granted
- If after performing calculations, work doesn't rise to the \$14.01, threshold, then there will be no invoice